

EXHIBIT B

ZERYKIER DECLARATION

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
In re:	: Chapter 11
	:
SEARS HOLDINGS CORPORATION, <i>et al.</i> ,	: Case No. 18-23538 (RDD)
	: (Jointly Administered)
Debtors.	:
-----X	

**DECLARATION OF AARON E. ZERYKIER IN SUPPORT OF
OBJECTION OF MIDWOOD MANAGEMENT CORP. TO DEBTORS'
NOTICE OF CURE COSTS AND POTENTIAL ASSUMPTION AND
ASSIGNMENT OF EXECUTORY CONTRACTS AND UNEXPIRED
LEASES IN CONNECTION WITH GLOBAL SALE TRANSACTION**

AARON E. ZERYKIER, pursuant to 28 U.S.C. § 1746, declares the following under penalty of perjury:

1. I am a partner with the law firm Farrell Fritz, P.C. ("Farrell Fritz"), attorneys for Midwood Management Corp. ("Landlord"). Consequently, I am fully familiar with the facts and circumstances stated herein.

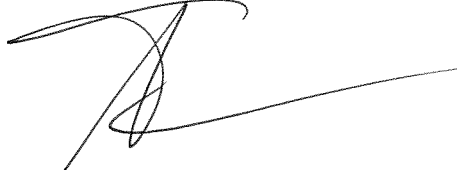
2. I respectfully submit this Declaration in Support of Landlord's *Objection to Debtors' Notice of Cure Costs and Potential Assumption and Assignment of Executory Contracts and Unexpired Leases in Connection with Global Sale Transaction*.

3. On September 12, 2018, Farrell Fritz mailed to Kmart a "Notice of Default and Thirty (30) Day Notice to Cure," a copy of which is annexed hereto as Exhibit "A".

4. On September 12, 2018, Farrell Fritz mailed to Kmart a "Notice of Default and Fifteen (15) Day Notice to Cure," a copy of which is is annexed hereto as Exhibit "B".

5. On October 11, 2018, Farrell Fritz mailed to Kmart a “Ten (10) Day Notice of Lease Termination,” a copy of which is annexed hereto as Exhibit “C”.

Dated: January 25, 2019


A horizontal line is drawn below the signature.

AARON E. ZERYKIER

EXHIBIT A

NOTICE OF DEFAULT AND
THIRTY (30) DAY NOTICE TO CURE

September 6, 2018

By Certified Mail Return Receipt Requested

To: KMART CORPORATION
333 Beverly Road
Hoffman Estate, Illinois 60179
Attn: Divisional Vice President – Real Estate Department 824E

KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084

Premises: 2280 North Ocean Avenue
Expressway Plaza
Farmingville, New York 11738

Tenant of the above-referenced premises:

PLEASE TAKE NOTICE that you are in default under the lease (the “Lease”), executed on or about December 20, 1991 between Kmart Corporation as Tenant (“Tenant”) and Farmingville Associates as Landlord, and as assigned to Expressway Plaza I LLC and Farmingville Associates Phase 1, LLC by assignment dated October 20, 2016, (“Landlord”), as amended and extended, by virtue of the following:

Article 15 of the Lease, requires Tenant to “keep the entire Demised Premises in good and tenantable condition and repair, including any necessary maintenance repairs and replacements to roof, structural and non-structural, interior and exterior portions of the Demised Premises, and plumbing, electrical and other systems located in and servicing the Demised Premises.”

In addition, pursuant to Article 30 of the Lease, Tenant assumed the obligation to maintain certain portions of the Common Area (as defined in the Lease).

Notwithstanding such obligations, as outlined in the Property Condition Report annexed hereto as Exhibit A, Tenant has failed to properly maintain the Demised Premises (as defined in the Lease) and the portions of the Common Area for which Tenant assumed maintenance obligations.

PLEASE TAKE FURTHER NOTICE that, pursuant to Article 25 of the Lease, unless you cure the defaults noticed within the Notice on or before the expiration of thirty (30) days from service of this Notice upon you the Landlord will serve you with a notice of election to end the term of the Lease at the expiration of ten (10) days from the date of service of such Notice upon you and upon expiration of such Notice the Landlord will

commence summary proceedings to evict you from the premises and obtain a money judgment against you for the value of the premises' rent and fair use and occupancy during any holdover in addition to any additional rent, charges and late fees that may accrue prior to the date of judgment with interest together with the legal fees and costs associated with the prosecution of the action.

Expressway Plaza I LLC
and Farmingville Associates Phase 1, LLC,
as tenants-in-common,

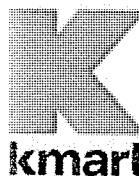
A handwritten signature in black ink, appearing to be 'J. Usdan', written over a horizontal line.

By: Midwood Management Corp., as agent
John Usdan, Chief Executive Officer

Exhibit A

Professional Engineering **Report of Findings**

Project Information:



K-Mart
2280 N Ocean Ave
Farmingville, NY 11738

Project Description:

Property Condition Survey

Prepared for:

Midwood Management Corp.
Peter Pollani
430 Park Avenue
2nd Floor
New York, NY 10022

TEPC Project Number:

TJ18198

Prepared on:

05.17.2018
08.29.2018 (revised)

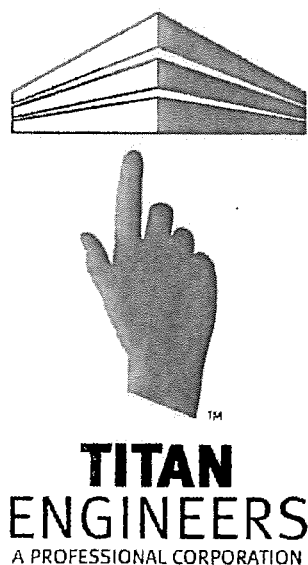
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Enclosure

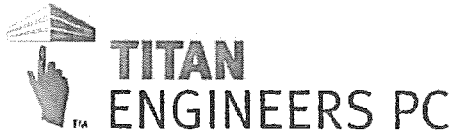
Charles H. Clackett
Vice-President / Branch Manager



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K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
05.17.2018
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Table of Contents

1: Introduction	1
2: Purpose and Scope	1
2.1: Reference Terms	1
3: System Descriptions and Observations	2
3.1: General Description	2
3.2: Reserve Summary	3
4: Conclusions and Recommendations	4
Additional Studies and Other Recommendations:	23
5: Limitations, Exceptions, Special Terms and Conditions	24
5.1 Professional Responsibility	24
5.2 Significant Assumptions	24
5.3 Reliance	24
5.4 Methodology	24
6: Qualifications	25

Table of Figures

Figure 1: Aerial Exhibit	2
Figure 2: Immediate & Short Term Reserves Table	3

Table of Photographs

Photo 1 – General View of Main Entrance & Parking Area	4
Photo 2 – General View of East Façade Near Entrance	4
Photo 3 – General View of East Façade	4
Photo 4 – General View of East Façade Near Garden Center	5
Photo 5 – General View of Garden Center Along Southeast Portion of Building	5
Photo 6 – General View of Southerly Façade	5
Photo 7 – General View of Westerly Façade at Rear of Building	6
Photo 8 – Detail View of Leader Into Downspout	6
Photo 9 – View of Cracked CMU Above Loading Dock Doorway	6
Photo 10 – Detail View of Cracked CMU Above Loading Dock Doorway	7
Photo 11 – General View of Loading Dock Area	7
Photo 12 – Detail View of Trash Compactor and Asphalt	7
Photo 13 – View of Settled Manhole Cover	8
Photo 14 – Detail View of Deteriorated CMU at Base of Building (Rear Façade)	8
Photo 15 – Detail View of Cracked CMU Above Loading Dock Doorway (2)	8
Photo 16 – View of Damaged Bollards at Truck Unloading Area	9
Photo 17 – Detail View of Deteriorated Asphalt in Drive Aisle	9
Photo 18 – View of Damaged Bollards at Southwest Corner of Building	9
Photo 19 – View of Damaged Concrete Curbing Along Westerly Drive Aisle	10
Photo 20 – Detail View of Damaged Concrete Curbing Along Westerly Drive Aisle	10
Photo 21 – View of New Asphalt Pavement on South Side of K-Mart between LA Fitness Site	10
Photo 22 – View of New Asphalt Pavement of Main Drive Aisle of K-Mart between LA Fitness Site	11
Photo 23 – View North of Drive Aisle in Front of K-Mart	11
Photo 24 – Typical View of Damaged Concrete Curbing on Landscaped Island	11
Photo 25 – Detail View of Damaged Concrete Curbing on Landscaped Island	12
Photo 26 – Detail View of Deteriorated Asphalt in Easterly Parking Area	12
Photo 27 – Typical View of Damaged Concrete Curbing Along Drive Aisle	12
Photo 28 – View North of Easterly Parking Area (Furthest from K-Mart Building)	13
Photo 29 – General View of Main Signage for Expressway Plaza	13
Photo 31 – View of Typical Lot Light Pole Foundation	14
Photo 32 – View of Damaged Curbing, Stop Sign and Curb Inlet	14
Photo 33 – Detail View of Damaged Curb Inlet	14

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TEPC Project No.: TJ18198
05.17.2018
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Photo 34 – View of Canopy Area at Main Entrance	15
Photo 35 – Detail View of Canopy Area at Main Entrance	15
Photo 36 – View of Canopy Soffit Area	15
Photo 37 – General View of Interior Retail Cash Register Checkout Area.....	16
Photo 38 – View of Easterly Wall at Store Entrance/Exit Area	16
Photo 39 – Detail View of Easterly Wall at Store Entrance/Exit Area	16
Photo 40 – General View of Electrical Panel Area	17
Photo 41 – General View of Rear Storage Area and Natural Gas-Fired Space Heaters.....	17
Photo 42 – General View of Fire and Domestic Water Supply Piping	17
Photo 43 – View of Fire Water Inspection Tag.....	18
Photo 44 – View of Interior CMU in Water Supply Room	18
Photo 45 – Detail View of Interior CMU Mortar Joints in Water Supply Room	18
Photo 46 – Detail View of Incoming Fire Water Pipe Deterioration	19
Photo 47 – View of Structural Joists in Rear Warehouse Area	19
Photo 48 – View of Typical AAON Rooftop Package HVAC Unit	19
Photo 50 – View of Gutter at Rear of Roof.....	20
Photo 51 – View of TPO Roof and Exhaust Fans	20
Photo 52 – View East of TPO Roof and HVAC Units.....	21
Photo 53 – View East of TPO Roof and Parapet for Main Signage.....	21
Photo 54 – Detail View South of TPO Roof and Parapet Waterproofing	21
Photo 55 – View of Evidence of Roof Leak	22
Photo 56 – General View of Shopping Area (Women’s Clothing Dept)	22
Photo 57 – View of Damaged Concrete Sidewalk Along Front of Store	22

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Page 1 of 26

1: Introduction

Titan Engineers PC (hereafter referred to as "Titan") was retained by Peter Pollani of Midwood Management Corp. (hereafter referred to as the "Client") to perform a Structural Condition Survey of the existing K-Mart occupied building at the subject property and the associated asphalt paved drive aisles, parking areas and associated appurtenances. The Structural Condition Survey was conducted by the Engineering Personnel listed below. The property observations included an interior walk-through of the subject areas including the mezzanine and exterior observations from ground level and the roof. Titan was accompanied by the store manager and client.

Client: Midwood Management Corp.
Peter Pollani
430 Park Avenue
2nd Floor
New York, NY 10022

Project Location: K-Mart
2280 N Ocean Ave
Farmingville, NY 11738
(Hereafter referred to as "property" or "building")

Date of Observation: 04.13.2018

Engineering Personnel: Charles H. Clackett - **TITAN ENGINEERS PC Onsite/Author**
Nicholas C. Wong, PE - **TITAN ENGINEERS PC (report review)**

2: Purpose and Scope

The objective of the walk-through survey was to visually observe the subject building and immediately surrounding parking areas so as to obtain information on material systems and components for the purposes of providing a brief description and identify physical deficiencies to the extent that they are observable. Observations were limited to the immediate areas of the property that were readily accessible. During the site visit, field personnel observed the general physical condition of the subject areas, observed material systems and components identifying material physical deficiencies, and any unusual features or inadequacies observed or reported. This written narrative report presents our findings with comments and recommendations including photographic records of relevant areas.

2.1: Reference Terms

References to general conditions are defined as follows:

<i>Good</i>	Generally serviceable condition.
<i>Fair</i>	Requires general repairs.
<i>Poor</i>	Requires significant overall repairs or replacement.

References to general concerns are defined as follows:

<i>Minor</i>	Minimal repairs required to prevent further deterioration.
<i>Moderate</i>	Repair required. Neglected repair may cause a significant concern.
<i>Significant</i>	Repair or replacement required as soon as possible.

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TEPC Project No.: TJ18198
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Page 2 of 26

3: System Descriptions and Observations

3.1: General Description

Figure 1 below provides a schematic of the existing shopping center layout specifically focusing on the K-Mart and associated parking/drive aisle areas only to aid in the narrative and photographic findings presented in this report.

In general, the existing building contains approximately 108,626± SF of roofed area with an internal partial mezzanine for storage. The parking and drive aisle areas associated with the K-Mart lease portion of the property totals 208,000± SF with 64,000± SF of landscaping or grass areas. The curbing associated with the parking in this area totals 6,927 LF. Reportedly, the building was constructed in 1993 for the current use as an expansion to an existing shopping plaza.

Just to the south a new LA Fitness (partially depicted in photo) was recently constructed in 2017 and some associated areas of paving between this new structure and the existing K-Mart were paved with new asphalt in accordance with the Town of Brookhaven requirements. This area contains an additional 48,000± SF of shared parking and drive aisles that have recently been repaved as part of the new development at the property.

The building is constructed of split faced concrete masonry units (CMU) on the easterly façade with the remainder painted CMU block. Steel columns, girders and joist support the corrugated steel deck which is finished with a white TPO roofing membrane (reportedly replaced in 2011) with rooftop mounted HVAC equipment.



Figure 1: Aerial Exhibit

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Page 3 of 26

3.2: Reserve Summary

The following Immediate & Short Term Reserve Table is an opinion of Probable Cost of the observed deficiencies at the subject property with regard to property ownership and not items strictly associated with tenant costs such as interior finishes. *The Immediate Term reserve items are those that are of a Life/Safety nature or if deferred, further deterioration is likely. The Short Term reserve items are either already showing signs of deterioration/damage or are near the end of their estimated useful life without significant maintenance expenditures.*

Although meant to be fairly comprehensive in nature, it cannot be construed as actual costs to conduct repairs or replacement as exact scopes of work have yet to be developed for any of the recommended repairs.

A Long Term Reserve Table was not included in the scope of this project at the client's request.

Figure 2: Immediate & Short Term Reserves Table

Project Number: TJ18198		Project: K-Mart Address: 2280 N Ocean Ave, Farmingville, NY 11738		Date: 05/17/18	
IMMEDIATE & SHORT TERM RESERVES TABLE					
ITEM	QUANTITY	UNIT	UNIT COST	IMMEDIATE COST	SHORT TERM COST (3-6 months)
Repairs of cracking & deterioration in CMU facade	150	Linear Feet	\$18.00		\$2,700
Painting (Exterior) CMU Façade	16098	Square Feet	\$2.50		\$40,245
Painting (Interior) CMU front wall portion	2400	Square Feet	\$2.50		\$6,000
Misc. Repairs	3	Lump Sum	\$5,000.00		\$15,000
Roof leak repairs and replacement of water stained acoustic panels	1	Lump Sum	\$2,500.00	\$2,500	
Structural evaluation of Fire Water Piping	1	Lump Sum	\$2,400.00	\$2,400	
Bollard Repairs (Allowance)	6	Lump Sum	\$300.00		\$1,800
Exterior Door Repairs (Allowance)	1	Lump Sum	\$3,000.00		\$3,600
Storm Drain Structure Repairs (Allowance)	3	Lump Sum	\$5,000.00		\$15,000
Curbing Replacement	6927	Linear Feet	\$35.00		\$242,445
Asphalt Milling & Repave	208,000	Square Feet	\$3.00		\$624,000
Seal Coat & Striping	208,000	Square Feet	\$0.20		\$41,600
Concrete Pad (Trash compactor and Trailer)	600	Square Feet	\$85.00		\$51,000
Rooftop HVAC units (3 Ton AAO unit from 1993)	1	Each	\$12,000.00		\$12,000
Rooftop HVAC units (7 Ton AAO unit from 1993)	1	Each	\$21,000.00		\$21,000
Rooftop HVAC units (15 Ton AAO unit from 1993)	14	Each	\$26,000.00		\$364,000
Traffic/Parking Signage Repairs (Allowance)	6	Each	\$175.00	\$1,050	
TOTAL COST:				\$5,950	\$1,439,790

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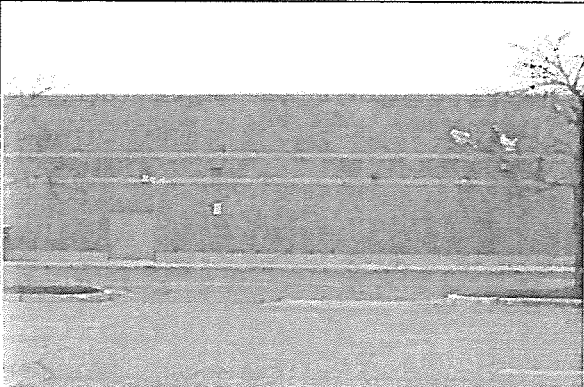
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Page 4 of 26

4: Conclusions and Recommendations

	<p>Condition Level: General View Structural Concern Level: NA Comments and Recommendations:</p>
<p>Photo 1 – General View of Main Entrance & Parking Area</p>	
	<p>Condition Level: General View Structural Concern Level: NA Comments and Recommendations:</p>
<p>Photo 2 – General View of East Façade Near Entrance</p>	
	<p>Condition Level: General View Structural Concern Level: NA Comments and Recommendations:</p>
<p>Photo 3 – General View of East Façade</p>	

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	<p>Condition Level: General View Structural Concern Level: NA Comments and Recommendations:</p>
Photo 4 – General View of East Façade Near Garden Center	
	<p>Condition Level: General View Structural Concern Level: NA Comments and Recommendations: Note new pavement at southerly drive aisle.</p>
Photo 5 – General View of Garden Center Along Southeast Portion of Building	
	<p>Condition Level: General View Structural Concern Level: NA Comments and Recommendations: Note painted CMU façade rather than split face CMU. The exterior CMU on the building requires regular maintenance, repair and repainting.</p>
Photo 6 – General View of Southerly Façade	

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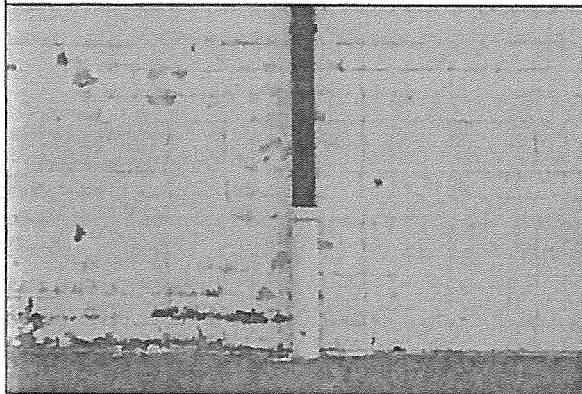


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Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
Note painted CMU façade and rear gutters and leaders (or downspouts) for roof drainage.

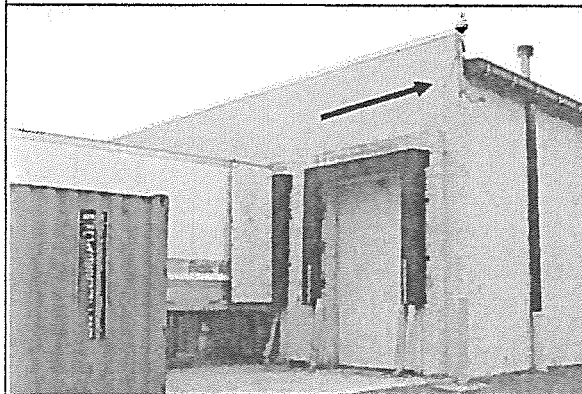
Photo 7 – General View of Westerly Façade at Rear of Building



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
Gutters and leaders should be kept in good condition to prevent further damage to CMU at base of building along rear façade.

The exterior CMU on the building requires regular maintenance, repair and repainting.

Photo 8 – Detail View of Leader Into Downspout



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
Note cracked CMU at top right above loading dock door at northwest corner of the K-Mart portion of the structure.

Any cracked CMU should be repaired with a structural grade epoxy and painted as part of routine maintenance.

Photo 9 – View of Cracked CMU Above Loading Dock Doorway


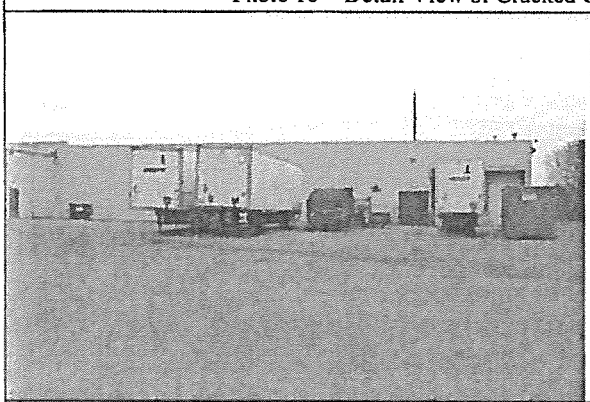
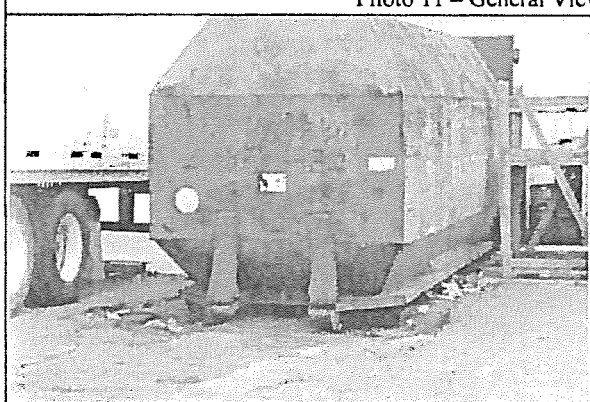
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	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note cracked CMU at top right above loading dock door.</p> <p>Any cracked CMU should be repaired with a structural grade epoxy and painted as part of routine maintenance to prevent further deterioration due to water infiltration and the freeze thaw cycle.</p>
Photo 10 – Detail View of Cracked CMU Above Loading Dock Doorway	
	<p>Condition Level: General View</p> <p>Structural Concern Level: NA</p> <p>Comments and Recommendations: Note trash compactor between trailers.</p>
Photo 11 – General View of Loading Dock Area	
	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note deteriorated asphalt. Trash compactors should be located on properly designed reinforced concrete slabs.</p> <p>It is recommended that when this area of the property is renovated that a reinforced concrete slab be designed and installed for the compactor and additional trailer areas.</p>
Photo 12 – Detail View of Trash Compactor and Asphalt	

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Page 8 of 26

	<p>Condition Level: Fair</p> <p>Structural Concern Level: Moderate</p> <p>Comments and Recommendations: Note patched asphalt and settled manhole cover due to truck traffic. Leaching pools and or storm structures have sunk within parking areas. It is recommended that when this area of the property is renovated that chimneys on the structure be brought to proper grade and asphalt repaired. In extreme cases, new leaching pools may be required with proper footings to prevent further settlement.</p>
Photo 13 – View of Settled Manhole Cover	
	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note deteriorated CMU at base of rear wall which require replacement due to water damage deterioration.</p>
Photo 14 – Detail View of Deteriorated CMU at Base of Building (Rear Facade)	
	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note cracked CMU at top right above loading dock door.</p> <p>Any cracked CMU should be repaired with a structural grade epoxy and painted as part of routine maintenance to prevent further deterioration due to water infiltration and the freeze thaw cycle.</p>
Photo 15 – Detail View of Cracked CMU Above Loading Dock Doorway (2)	

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Page 9 of 26

	<p>Condition Level: Poor</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note damaged bollards at truck unloading area. Bollards should be designed & located properly to protect doorways from trailer impacts.</p>
Photo 16 – View of Damaged Bollards at Truck Unloading Area	
	<p>Condition Level: Fair to Poor</p> <p>Structural Concern Level: Moderate</p> <p>Comments and Recommendations: Various portions of the drive aisles and parking areas exhibit signs of severe alligating of existing asphalt pavement and deterioration in some areas to the subgrade as depicted in this photo.</p> <p>Milling of existing asphalt and new asphalt overlay is recommended. Sealcoating & striping of new asphalt is also recommended.</p>
Photo 17 – Detail View of Deteriorated Asphalt in Drive Aisle	
	<p>Condition Level: Fair to Poor</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note damaged bollards at corner of building. Bollards should be designed & located properly to protect building from truck traffic.</p> <p>Not RPZ overflow drain through CMU wall.</p>
Photo 18 – View of Damaged Bollards at Southwest Corner of Building	

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TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 10 of 26

	<p>Condition Level: Poor</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Note damaged concrete along westerly drive aisle at rear of building.</p>
Photo 19 – View of Damaged Concrete Curbing Along Westerly Drive Aisle	
	<p>Condition Level: Poor</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Many areas of curbing have been damaged throughout this area of the property and require replacement.</p>
Photo 20 – Detail View of Damaged Concrete Curbing Along Westerly Drive Aisle	
	<p>Condition Level: Good</p> <p>Structural Concern Level: None</p> <p>Comments and Recommendations: Striping & Sealcoating should be completed as part of regular maintenance to extend life of newly installed pavement.</p>
Photo 21 – View of New Asphalt Pavement on South Side of K-Mart between LA Fitness Site	

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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 11 of 26



Condition Level:
Good
Structural Concern Level:
None
Comments and Recommendations:
Striping & Sealcoating should be completed as part of regular maintenance to extend life of newly installed pavement.

Photo 22 – View of New Asphalt Pavement of Main Drive Aisle of K-Mart between LA Fitness Site



Condition Level:
Fair
Structural Concern Level:
Moderate
Comments and Recommendations:
Various areas of drive aisle and parking areas require improvement. Some areas in worse condition than other areas. It appears the main drive aisle in front of the store has been maintained/repared more than other areas.
Milling of existing asphalt and new asphalt overlay is recommended. Sealcoating & striping of new asphalt is also recommended.

Photo 23 – View North of Drive Aisle in Front of K-Mart



Condition Level:
Poor
Structural Concern Level:
Minor
Comments and Recommendations:
Many areas of curbing have been damaged throughout the landscaped islands at the property and require replacement.

Photo 24 – Typical View of Damaged Concrete Curbing on Landscaped Island

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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 12 of 26



Condition Level:
Poor
Structural Concern Level:
Minor
Comments and Recommendations:
Many areas of curbing have been damaged throughout the landscaped islands at the property and require replacement.

Photo 25 – Detail View of Damaged Concrete Curbing on Landscaped Island



Condition Level:
Fair to Poor
Structural Concern Level:
Moderate
Comments and Recommendations:
Various portions of the drive aisles and parking areas exhibit signs of severe alligatoring of existing asphalt pavement and deterioration in some areas to the subgrade as depicted in this photo.

Milling of existing asphalt and new asphalt overlay is recommended.

Photo 26 – Detail View of Deteriorated Asphalt in Easterly Parking Area



Condition Level:
Poor
Structural Concern Level:
Minor
Comments and Recommendations:
Many areas of curbing have been damaged along the drive aisles at the property and require replacement.

Photo 27 – Typical View of Damaged Concrete Curbing Along Drive Aisle

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2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 13 of 26



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
The far easterly portion of the parking area appears to get less usage and is generally in better condition although maintenance is recommended with sealcoating and striping if not milled and overlaid.

Photo 28 – View North of Easterly Parking Area (Furthest from K-Mart Building)



Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
None.

Photo 29 – General View of Main Signage for Expressway Plaza



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
The far easterly portion of the parking area appears to get less usage and is generally in better condition although maintenance is recommended with sealcoating and striping

Photo 30 – View West of Easterly Parking Area (Toward K-Mart Building)

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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 14 of 26

	<p>Condition Level: Good to Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: The light pole base foundation mounting hardware should receive regular maintenance for the anchor rods and associated hardware.</p>
Photo 31 – View of Typical Lot Light Pole Foundation	
	<p>Condition Level: Poor</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: This landscaped island contains damaged curbing, a damaged stop sign and damaged storm drain curb inlet have been damaged along the drive aisles.</p>
Photo 32 – View of Damaged Curbing, Stop Sign and Curb Inlet	
	<p>Condition Level: Poor</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: This cast iron curb inlet requires repair and replacement.</p>
Photo 33 – Detail View of Damaged Curb Inlet	

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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 15 of 26



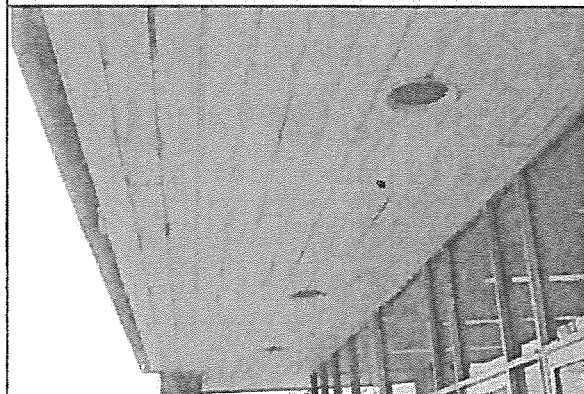
Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
Regular maintenance required at façade. Cracks in split face CMU should be repaired using structural grade injection epoxy adhesive.

Photo 34 – View of Canopy Area at Main Entrance



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
Regular maintenance required at façade. Cracks in split face CMU should be repaired using structural grade injection epoxy adhesive.

Photo 35 – Detail View of Canopy Area at Main Entrance



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
Regular maintenance required at façade canopy.

Photo 36 – View of Canopy Soffit Area

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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
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Page 16 of 26



Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
None.

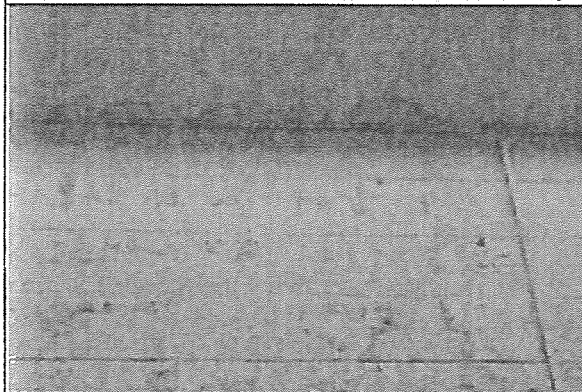
Photo 37 – General View of Interior Retail Cash Register Checkout Area



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
Paint peeling most likely due to prior roof leaks that have reportedly since been repaired with TPO roofing replacement in 2011.

CMU wall requires scraping, priming and painting.

Photo 38 – View of Easterly Wall at Store Entrance/Exit Area



Condition Level:
Fair
Structural Concern Level:
Minor
Comments and Recommendations:
Paint peeling most likely due to prior roof leaks that have reportedly since been repaired with TPO roofing replacement in 2011.

CMU wall along front interior of building requires scraping, priming and painting.

Photo 39 – Detail View of Easterly Wall at Store Entrance/Exit Area

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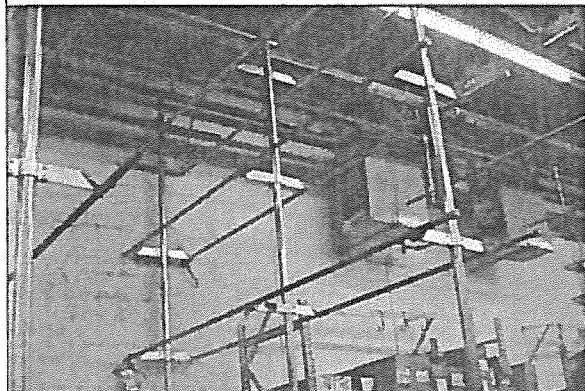


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2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 17 of 26



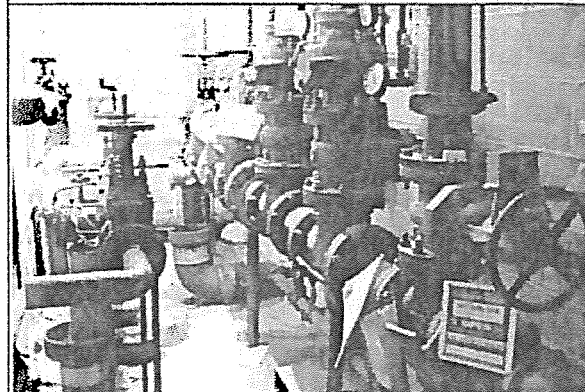
Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
None.

Photo 40 – General View of Electrical Panel Area



Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
None.

Photo 41 – General View of Rear Storage Area and Natural Gas-Fired Space Heaters



Condition Level:
General View
Structural Concern Level:
NA
Comments and Recommendations:
None.

Photo 42 – General View of Fire and Domestic Water Supply Piping

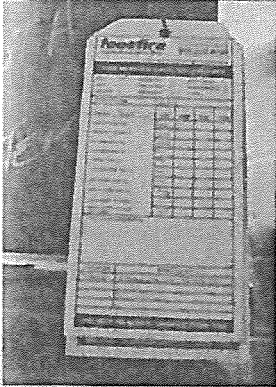
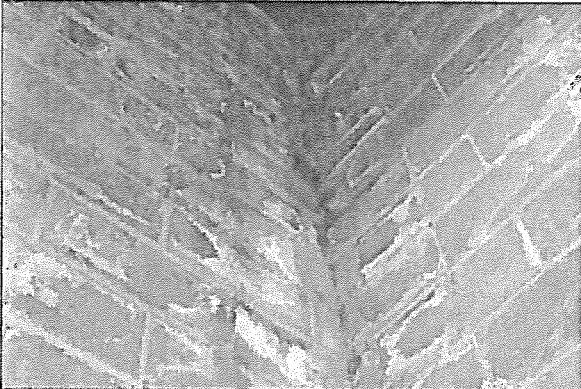
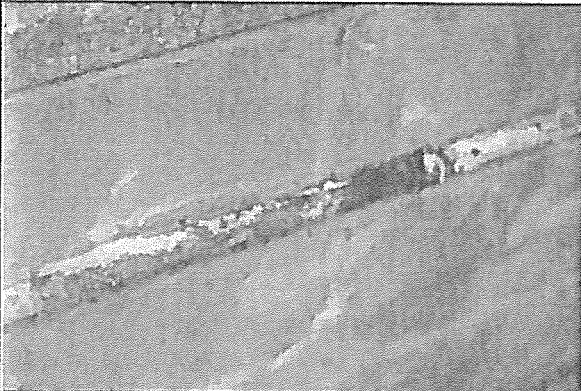
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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 18 of 26

	<p>Condition Level: General View</p> <p>Structural Concern Level: NA</p> <p>Comments and Recommendations: Fire Water Inspection up to date according to inspection tag.</p>
Photo 43 – View of Fire Water Inspection Tag	
	<p>Condition Level: Good to Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Evidence of prior roof leaks at rear of building inside CMU wall in water supply room.</p>
Photo 44 – View of Interior CMU in Water Supply Room	
	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: Evidence of prior roof leaks at rear of building inside CMU wall in water supply room with detailed view of rust of horizontal reinforcement in CMU mortar joints due to prior water infiltration in water supply room.</p> <p>Recommended to clean and prepare surface to prevent further rust from prior moisture infiltration.</p>
Photo 45 – Detail View of Interior CMU Mortar Joints in Water Supply Room	

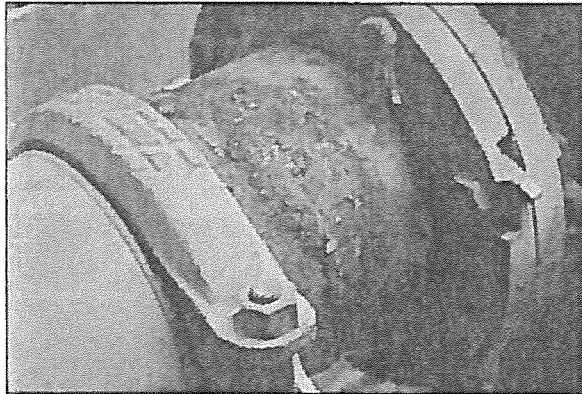
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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 19 of 26



Condition Level:

Fair to Poor

Structural Concern Level:

Moderate

Comments and Recommendations:

It is recommended to check the incoming fire water pipe thoroughly with an ultrasonic thickness gauge to confirm safety of pipe by a reputable contractor as surface is significantly corroded.

Photo 46 – Detail View of Incoming Fire Water Pipe Deterioration



Condition Level:

Good

Structural Concern Level:

None

Comments and Recommendations:

No obvious defects or deterioration noted in structural steel framework of building in observable areas in rear warehouse area.

No in-depth structural analysis conducted as part of this report on any of the framing within the subject building.

Photo 47 – View of Structural Joists in Rear Warehouse Area



Condition Level:

Fair

Structural Concern Level:

None

Comments and Recommendations:

Although rooftop HVAC appeared to be generally in serviceable condition it was noted that the units are 25± years old and may be near the end of their estimated useful life.

16 units observed ranging in size from 3 to 15 tons.

Photo 48 – View of Typical AAON Rooftop Package HVAC Unit

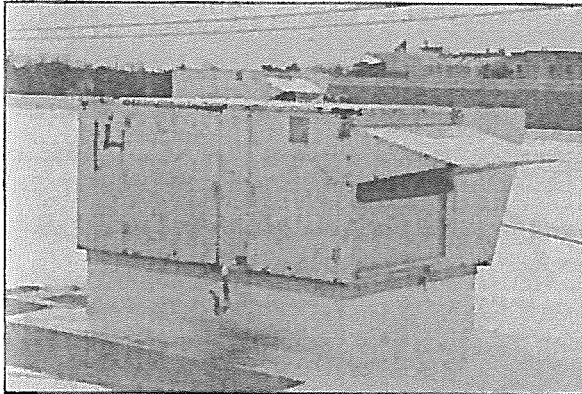
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Midwood Management Corp.
K-Mart
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TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 20 of 26



Condition Level:

Fair

Structural Concern Level:

None

Comments and Recommendations:

Although rooftop HVAC appeared to be generally in serviceable condition it was noted that the units are 25± years old and may be near the end of their estimated useful life.

16 units observed ranging in size from 3 to 15 tons.

Photo 49 – Detail View of Typical AAON Rooftop Package HVAC Unit



Condition Level:

Fair

Structural Concern Level:

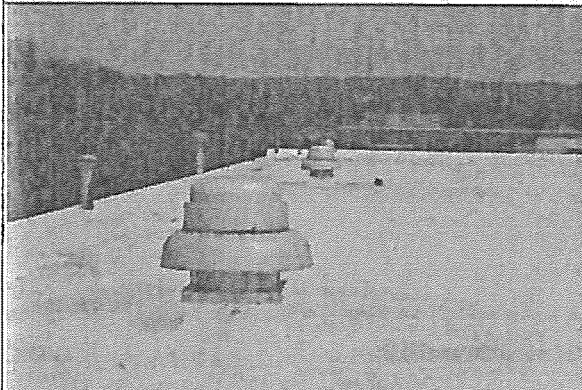
Minor

Comments and Recommendations:

The gutter mounted along the rear of the roof provides drainage. It appears that this gutter was replaced as part of the roof repairs reportedly made in 2011.

It was evident that prior to the gutter replacement, poor drainage existed and caused deterioration to some of the rear CMU at the building.

Photo 50 – View of Gutter at Rear of Roof



Condition Level:

Good to Fair

Structural Concern Level:

Minor

Comments and Recommendations:

The TPO roof replacement was reportedly made in 2011.

It was evident that prior to the gutter replacement, poor drainage existed and damage some of the rear CMU at the building.

Photo 51 – View of TPO Roof and Exhaust Fans


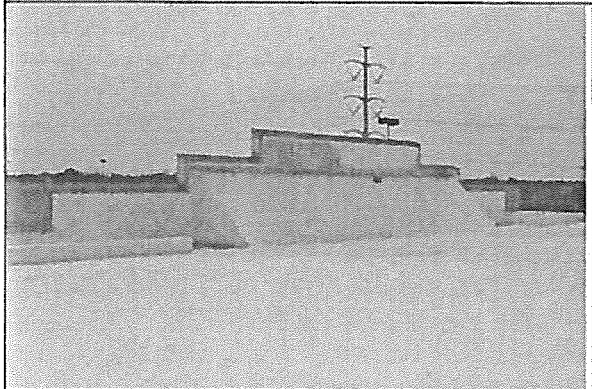
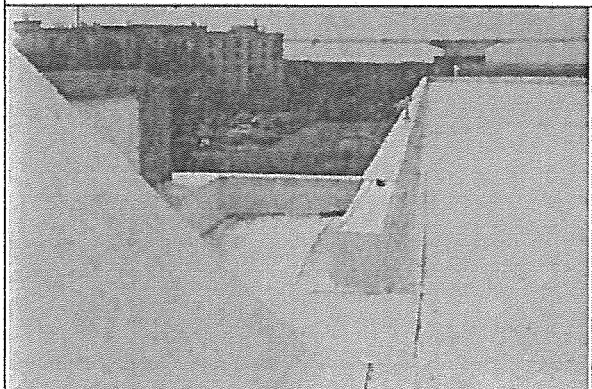
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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 21 of 26

	<p>Condition Level: Good to Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: The TPO roof replacement was reportedly made in 2011.</p> <p>It was evident that prior to the gutter replacement, poor drainage existed and damage some of the rear CMU at the building.</p>
Photo 52 – View East of TPO Roof and HVAC Units	
	<p>Condition Level: Good to Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: The TPO roof replacement was reportedly made in 2011.</p> <p>It was evident that prior to the roof replacement, leaks along the front wall behind this parapet damaged the paint along the inside of the CMU wall at the front of the store.</p>
Photo 53 – View East of TPO Roof and Parapet for Main Signage	
	<p>Condition Level: Good to Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: The TPO roof replacement was reportedly made in 2011.</p> <p>It was evident that prior to the roof replacement, leaks along the front wall behind this parapet damaged the paint along the inside of the CMU wall at the front of the store. Roof repairs appeared to be in good condition.</p>
Photo 54 – Detail View South of TPO Roof and Parapet Waterproofing	

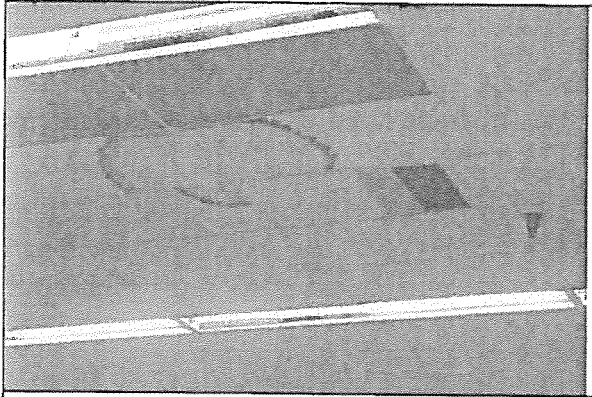

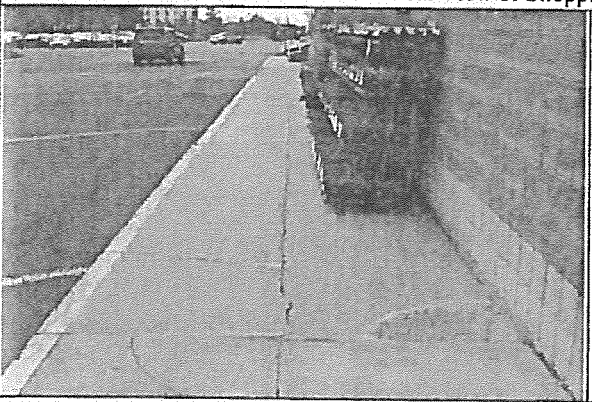
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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 22 of 26

	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: The TPO roof replacement was reportedly made in 2011. It was evident that one area in the Women's Clothing Department had a roof leak that was reportedly being addressed by management and maintenance staff along with their roofer.</p>
Photo 55 – View of Evidence of Roof Leak	
	<p>Condition Level: General View</p> <p>Structural Concern Level: NA</p> <p>Comments and Recommendations: None.</p>
Photo 56 – General View of Shopping Area (Women's Clothing Dept)	
	<p>Condition Level: Fair</p> <p>Structural Concern Level: Minor</p> <p>Comments and Recommendations: A portion of the concrete sidewalk flatwork was noted to be in fair condition with some areas deteriorated and requiring repair.</p>
Photo 57 – View of Damaged Concrete Sidewalk Along Front of Store	

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Midwood Management Corp.
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TEPC Project No.: TJ18198
08.29.2018 revised
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Page 23 of 26

Additional Studies and Other Recommendations:

1. It is recommended that a selected group of reputable contractors prepare written bids for the work described in this report for evaluation by the property ownership as related to the following areas:
 - a. Asphalt Repairs (Milling & Overlay, Sealcoating & Striping)
 - b. Storm Drain & Sanitary Structure Repairs
 - c. Curbing & Concrete Flatwork Replacement & Repairs
 - d. Painting and miscellaneous repairs of South, West & North CMU façades along sides and rear of building.
 - e. HVAC Rooftop Package Unit replacement
 - f. Addition of Lawn Sprinkler System and Landscape Improvements
2. The fire water piping should be evaluated by a qualified technician to determine the safety of the pipe due to thickness.
3. No other additional reports recommended at this time.

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Midwood Management Corp.
K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 24 of 26

5: Limitations, Exceptions, Special Terms and Conditions

5.1 Professional Responsibility

This Report summarizes the independent conclusions representing our professional judgment based on the information and data available to Titan during the course of this assignment in a manner consistent with that level of care and skill ordinarily exercised by comparable professional firms under similar circumstances within the same geographical region at the time the services were performed. No other representations to the Client, expressed or implied, and no warranty or guarantee is included or intended hereunder, or in any report, opinion, document or otherwise. To the fullest extent permitted by law, Client shall hold harmless, defend and indemnify Titan and each of their owners, directors, employees, heirs, successors and assigns from any and all claims, damages, losses, judgments and expenses arising out of improper dissemination or execution of the findings contained within this report.

5.2 Significant Assumptions

Information provided by the Client, owner, public entities, knowledgeable representatives or others noted within this report has been assumed to be correct, complete, and factual unless otherwise contradicted or documented.

5.3 Reliance

The performance of this service comprises both a written document and verbal consultation. This document was prepared for the sole use of the Client, its successors, representatives and assigns, and should not be relied upon by any third party without written consent from Titan. Only signed and sealed hardcopies of reports are considered final.

5.4 Methodology

Observation of the subject property was limited to readily visible and accessible areas only. Observations in regards to any potential environmental hazards, physical probing, testing, measuring, or preparing calculations for any system or component to determine adequacy, capacity, or compliance with any standard is outside the scope of this service.

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K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 25 of 26

6: Qualifications

NICHOLAS C WONG PE PRINCIPAL

The principal and founder of TITAN ENGINEERS PC brings to the organization an extensive level of experience in structural design and familiarity with architectural building systems. He is currently responsible for building design services and all other structural engineering consulting services as well as the evaluation and investigation of existing buildings. He has been responsible for the design and evaluation of real estate valued in excess of eight billion dollars (\$8,000,000,000.00) over his career. Mr. Wong has performed numerous building investigations, structural condition evaluations, and structural engineering design services in multiple states including retail, office, residential, educational, sports complexes, and transportation facilities with construction types varying from high-rise steel and concrete to conventional residential light framing. He directs TITAN with a hands-on approach and personally takes the lead as project manager on many of TITAN's projects

EDUCATION

Rutgers University, New Brunswick, NJ
Masters of Science in Structural Engineering
Bachelors of Science in Civil Engineering

CERTIFICATIONS AND LICENSES:

Licensed Professional Engineer
State of Connecticut, #24637
State of Delaware, #13937
State of Maine, #12516
State of Maryland, #31151
State of Massachusetts, #46461
State of New Hampshire, #13349
State of New Jersey, #44219
State of New York, #083390
State of Pennsylvania, #71890
State of Rhode Island, #8416
State of Vermont, #74677
State of Virginia, #40812

EXPERT TESTIMONY

Served as expert witness for the purposes of the investigation and study of various structural collapses.

MEMBERSHIP IN PROFESSIONAL ASSOCIATIONS:

American Society of Civil Engineers
American Concrete Institute
Structural Engineering Institute

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K-Mart
2280 N Ocean Ave, Farmingville, NY 11738
TEPC Project No.: TJ18198
08.29.2018 revised
Privileged and Confidential
Page 26 of 26

CHARLES H CLACKETT
BRANCH MANAGER | VICE-PRESIDENT

As Vice-President and our New York Branch Manager, Mr. Clackett brings to Titan Engineers PC over twenty-five (25) years of engineering experience with a diverse technical background that focused on engineering project management, financial and operational analytical skills. Currently he focuses on new business development, design of many types of earth retention walls and building evaluations.

He has completed over 300 property condition assessment and construction loan monitoring reports and engineering inspections throughout the country. He has been responsible for preparing numerous civil engineering site plan packages for national retailers including 7-Eleven & Lowe's Home Improvement Stores in addition to various banks such as Wachovia and Bank of America throughout the Long Island and New York metropolitan area while managing the development process associated with all required approvals from various municipal jurisdictions. In this role, his staff prepared over 100 Conceptual Plans for 7-Eleven in the Long Island region. He has experience with structural evaluations of buildings and has designed various styles of mechanically stabilized earth retention walls. In addition, he was the engineering project manager for the development of a new charter school facility on eastern Long Island while preserving historic structures on the site.

In a former role as engineering manager for the New York office of a national engineering consulting firm, Mr. Clackett was responsible to initiate and grow the local office with environmental and engineering due diligence projects throughout the nation. He has conducted property condition assessments and construction monitoring in over thirty states across the country for REITs, CMBS lenders, banks, developers and other forms of lenders, government agencies and investors. Property types inspected range from high-rise towers, office buildings, large shopping centers, hotels, condominium buildings, nursing homes, warehouses, industrial manufacturing facilities, to storage facilities and mobile home parks. Reports have been prepared for many clients including the following: JP Morgan, GE Real Estate Capital, GMAC, Builders Bank, CIBC, Trans America Financial, Goldman Sachs, Fannie Mae, HUD, Prudential, Merrill Lynch, Principal Capital Management, Bank of America, AIMCO, iStar Financial, Care One, Heller Financial, Key Bank, Legg Mason, ING, Bear Stearns, Prudential Mortgage Capital Company, North Marq Capital, Washington Mutual, First Union Bank, Deutsche Bank Securities among many others.

EDUCATION:

State University of New York at Buffalo
Bachelor of Science Degree-Civil Engineering, 1990

CERTIFICATIONS:

EIT – State of New York, 1991

MEMBERSHIP IN PROFESSIONAL ASSOCIATIONS:

American Society of Civil Engineers

NEW JERSEY OFFICE:
A 1331 STUYVESANT AVE UNION NJ 07083
T 908 624 0044

NEW YORK OFFICE:
A 47 SERENE PL HAUPPAUGE NY 11788
T 631 885 8059

W WWW.TITANENGINEERS.COM F 877 364 8484

FF Client: Midwood Managing Corp.
(20588.114)

Project Address: 2280 North Ocean Avenue
Expressway Plaza
Farmingdale, New York 11738

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, Theresa M. Spano, being duly sworn, depose and say: I am not a party to the action,
am over 18 years of age and reside in Nassau County, New York.

On September 12, 2018, I served the within **Notice of Default and Thirty (30) Day
Notice to Cure** by Certified Mail return receipt requested, depositing a true copy thereof
enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of
the U.S. Postal Service within New York State, addressed to the following person(s) at the last
known address set forth after the name:

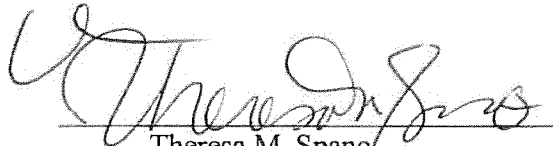
KMART CORPORATION

333 Beverly Road

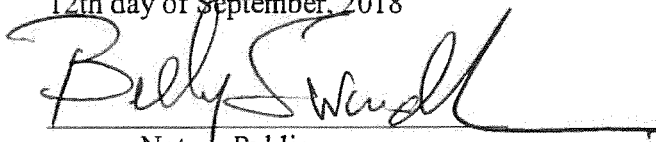
Hoffman Estate, Illinois 60179

Attn: Divisional Vice President – Real Estate Department 824E

Tracking No.: 7015-0640-0007-8184-1031


Theresa M. Spano

Sworn to before me this
12th day of September, 2018


Notary Public


BILLY SWINDLER
Notary Public, State of New York
No. 015W6010722
Qualified in Queens County
Commission Expires July 20, 2022

30 day

CERTIFIED MAIL RETURN RECEIPT

TO:	KMART CORPORATION 333 Beverly Road Hoffman Estate, Illinois 60179 Attn: Divisional Vice President – Real Estate Department 824E	09/07/2018 9/12/18
CLIENT	20588-114	
CERT #	7015-0640-0007-8184-1031	

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	20588-114
Total Postage and Fees	\$
Sent To	KMART CORPORATION
Street an	333 Beverly Road
City, Stat	Hoffman Estate, Illinois 60179
	Attn: Divisional Vice President – Real Estate Department 824E
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>GU</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to: KMART CORPORATION 333 Beverly Road Hoffman Estate, Illinois 60179 Attn: Divisional Vice President – Real Estate Department 824E	B. Received by (Printed Name) <i>C. COVENEY</i> C. Date of Delivery <i>9/17/18</i>
2. Article Number (Transfer from service label) 7015 0640 0007 8184 1031	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
 9590 9403 0880 5223 0515 51	Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

FF Client: Midwood Managing Corp.
(20588.114)

Project Address: 2280 North Ocean Avenue
Expressway Plaza
Farmingdale, New York 11738

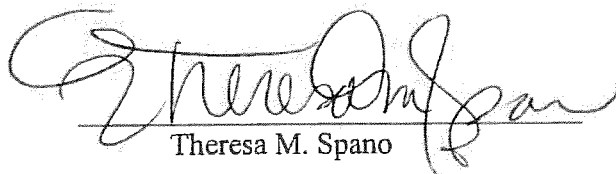
AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

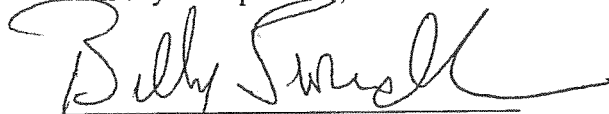
I, Theresa M. Spano, being duly sworn, depose and say: I am not a party to the action, am over 18 years of age and reside in Nassau County, New York.

On September 12, 2018, I served the within **Notice of Default and Thirty (30) Day Notice to Cure** by Certified Mail return receipt requested, depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to the following person(s) at the last known address set forth after the name:

KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084
Tracking No.: 7015-0640-0007-8184-1017


Theresa M. Spano

Sworn to before me this
12th day of September, 2018


Notary Public

BILLY SWINDLER
Notary Public, State of New York
No. 01SW6010722
Qualified in Queens County
Commission Expires July 20, 2022

30 day

CERTIFIED MAIL RETURN RECEIPT

TO:	KMART CORPORATION 3100 West Big Beaver Road Troy, Michigan 48084	09/07/2018 9/12/18
CLIENT	20588/114	
CERT #	7015 0640 0007 8184 1017	

7015 0640 0007 8184 1017

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee
\$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

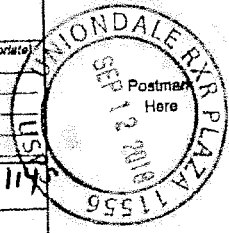
Postage
\$ 11.85

Total Postage and Fees
\$

Sent To
 Street and Apt. No., or P.O. Box
 City, State, ZIP+4®

KMART CORPORATION
 3100 West Big Beaver Road
 Troy, Michigan 48084

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KMART CORPORATION
 3100 West Big Beaver Road
 Troy, Michigan 48084



9590 9403 0880 5223 0515 37

2. Article Number (Transfer from service label)

7015 0640 0007 8184 1017

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

9/12/18

- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Registered Mail®
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

EXHIBIT B

**NOTICE OF DEFAULT AND
FIFTEEN (15) DAY NOTICE TO CURE**

September 6, 2018

By Certified Mail Return Receipt Requested

To: KMART CORPORATION
333 Beverly Road
Hoffman Estate, Illinois 60179
Attn: Divisional Vice President – Real Estate Department 824E

KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084

Premises: 2280 North Ocean Avenue
Expressway Plaza
Farmingville, New York 11738

Tenant of the above-referenced premises:

PLEASE TAKE NOTICE that you are in default under the lease (the “Lease”), executed on or about December 20, 1991 between Kmart Corporation as Tenant (“Tenant”) and Farmingville Associates as Landlord, and as assigned to Expressway Plaza I LLC and Farmingville Associates Phase 1, LLC by assignment dated October 20, 2016, (“Landlord”), as amended and extended, by virtue of the following:

Pursuant to Article 30 of the Lease, Tenant assumed the obligation to maintain certain portions of the Common Area (as defined in the Lease).

Because of Tenant’s failure to comply with its maintenance obligations under the Lease, by Notice dated November 8, 2017, Landlord exercised its rights under Article 25(F) to perform emergency repair work (the “Emergency Work”) at Tenant’s cost and expense. A copy of the November 8, 2017 Notice is annexed hereto as Exhibit A.

On or about April 4, 2018, Landlord invoiced Tenant for the costs of performing the Emergency Work. Copies of such invoices are collectively annexed hereto as Exhibit B.

Pursuant to Article 25(F) of the Lease, the sums expended by Landlord shall be deemed additional rent and shall be reimbursed by Tenant upon demand, together with interest at eighteen (18%) per annum.

Notwithstanding the Emergency Work notice, and being invoiced for the Emergency Work, Tenant has failed to pay for same. A copy of the invoice for the Emergency Work is annexed hereto as Exhibit B.

As such, \$215,426.88 plus interest in the amount of \$24,593.65 (as set forth in the attached Exhibit C) for a total of \$240,020.53 as Additional Rent under the Lease is currently due and owing to Landlord.

PLEASE TAKE FURTHER NOTICE that, pursuant to Article 25 of the Lease, unless you cure the defaults noticed within the Notice on or before the expiration of fifteen (15) days from service of this Notice upon you the Landlord will serve you with a notice of election to end the term of the Lease at the expiration of ten (10) days from the date of service of such Notice upon you and upon expiration of such Notice the Landlord will commence summary proceedings to evict you from the premises and obtain a money judgment against you for the value of the premises' rent and fair use and occupancy during any holdover in addition to any additional rent, charges and late fees that may accrue prior to the date of judgment with interest together with the legal fees and costs associated with the prosecution of the action.

Expressway Plaza I, LLC and
Farmingville Associates Phase 1, LLC
as Tenants in Common

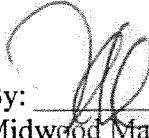
By: 
Midwood Management Corp., as agent
John Usdan, Chief Executive Officer

Exhibit A

**FARMINGVILLE ASSOCIATES PHASE I, LLC and
EXPRESSWAY PLAZA I LLC**

c/o Midwood Management Corp.
430 Park Avenue, Suite 505
New York, New York 10022

November 8, 2017

VIA Certified Mail – Return Receipt Requested

Kmart Corporation
3333 Beverly Road
Hoffman Estates, Illinois 60179
Attn: Divisional Vice President - Real Estate Department 824RE

Re: Lease dated December 20, 1991 (as amended and extended, the “Lease”) between Farmingville Associates Phase 1 LLC and Expressway Plaza I LLC, as tenants-in-common, (collectively, “Landlord”) and KMART Corporation., (the “Tenant”) for space at the premises located at 2280-2350 North Ocean Avenue, Farmingville, New York (the “Premises”)

Ladies and Gentlemen:

Reference is made to the Lease; capitalized terms used, but not otherwise defined in this notice (the “Notice”), shall have the meanings given to such terms in the Lease.

PLEASE TAKE NOTICE that Tenant is in breach of Tenant’s obligation to maintain the Common Area parking lot and drive lanes, which obligation Tenant assumed (in accordance with Article 30 of the Lease) by notice to Landlord dated October 10, 2012. The work required to be performed on the drive lanes as a result of said breach (the “Work”) is set forth on Exhibit A to this Notice and you can reach out to Landlord’s portfolio manager Peter Pollani (516) 732-8977; ppollani@midwoodid.com) if you have any questions regarding the Work or the maintenance required to be performed by Tenant to the rest of the parking lot Common Area.

PLEASE TAKE FURTHER NOTICE that after a recent inspection by the town of Brookhaven, Landlord was informed that due to weather conditions, the Work must be completed by November 21, 2017. As a result of Tenant’s failure to perform the required maintenance, Landlord hereby exercises its right pursuant to Section 25(F) of the Lease to perform Tenant’s obligations at the cost and expense of Tenant and, given the timing imposed by the Town of Brookhaven, this constitutes an emergency under Section 25(F) which does not permit Tenant the cure period provided by the Lease. Note that the Work only addresses the drive lane issues, which constitute an emergency, and does not include standard parking lot maintenance and repair which remains the responsibility of Tenant and must be performed within thirty (30) days of this notice to avoid an Event of Default under the Lease.

PLEASE BE ADVISED that Landlord has not waived any of its rights or remedies under the Lease or any requirement of Tenant’s compliance with any provision of the Lease and expects Tenant to honor all of its obligations thereunder, including, without limitation, the maintenance obligations that are the subject of this Notice. Landlord expressly reserves all of its

rights and remedies, whether pursuant to the Lease, at law or in equity on account of Tenant's failure to comply with the covenants and obligations contained in the Lease.

Very Truly Yours,

FARMINGVILLE ASSOCIATES PHASE I LLC
and EXPRESSWAY PLAZA I LLC

By: Midwood Management Corp., as
agent

By: 
Name: John Darian
Title: Chief Executive Officer

cc: *(via Certified Mail – Return Receipt Requested)*
Kmart Corporation
3333 Beverly Road
Hoffman Estates, Illinois 60179
Attn: Associate General Counsel, Real Estate Department 824RE

cc: *(via E-MAIL ONLY)*
Bradley.Pukas@searshc.com
Real Estate Manager, Sears Holdings Corporation

EXHIBIT A

The Work

Rebrick Drywell:

1. REBRICK DRAIN COVER: Five Covers (5)
2. Saw cut & remove asphalt around drywell cover and dispose of asphalt.
3. Excavate area and remove casting
4. Remove and replace bricks as necessary
5. Backfill.
6. Install RCA base blend and compact

Remove and Replace:

1. PATCH: Remove and replace 10200 sf in 14 areas.
2. Saw cut asphalt
3. Add recycled crushed concrete base blend as needed and compact.
4. Patch areas with 2 1/2" of NY State Type 6F asphalt compacted to an average depth of 2".
5. Apply hot tar to seams of patches to prevent water infiltration.
6. Remove and replace sidewalk in 2 areas approximately 10 sf Curbs
7. Remove and replace curbing approximately 26 lf in 2 areas.

Reconstruct Parking Area:

1. RECONSTRUCT PARKING AREA: Drive Lane 2 area approximately 54500sf
2. Job to include:
3. Mill existing pavement and dispose of offsite.
4. Add RCA as necessary.
5. Regrade base blend and compact.
6. Adjust steel manhole covers and drains as necessary to new grade.
7. **Pave area with:**
 - a. 2" of binder asphalt after compaction
 - b. 1 & 1/2" of NY State Top asphalt after compaction
8. Restripe parking area.

Exhibit B

MIDWOOD MANAGEMENT CORP.
430 PARK AVENUE 2ND FLOOR

NEW YORK, NY 10022
(212) 682-9595

C/O SEARS ROEBUCK & CO
K MART # 4871
ATTN: LEASE ADM.
333 BEVERLY ROAD
HOFFMAN ESTATES, IL 60179

Tenant Name: K MART # 4871
Space Number: 16
Invoice Date: April 4, 2018

2018 MISC INCOME Expense	184,468.75
Prior Year Expense w/ % Increase	
Prior Year Expense w/ % Increase	
Total Recoverable Expense for Current Year	184,468.75
Less Stop Amount	
Total Recoverable MISC INCOME Expense	<u>184,468.75</u>
Tenant Share	100.00%
Total Amount Due for 2018 Before Cap Cap for Year	184,468.75
Total Due for Expense Period	184,468.75
Occupancy Percentage for Year	<u>100.00%</u>
Total Amount Due	<u>184,468.75</u>

DuMOR Construction Inc.

INVOICE

42 Grant Avenue
Bay Shore, NY 11706
631 586-7200 631 586-7208

DATE	INVOICE #
11/28/2017	16703

BILL TO
Midwood Management 430 Park Avenue Suite 505 New York, NY 10022 Attn: Mr. Peter Pollani

JOB NAME
Paving completed 11/27/17

P.O. NO.	TERMS	REP
	Upon Receipt	D J

ITEM	DESCRIPTION	AMOUNT
Reconstruct Parkin...	<p>RECONSTRUCT PARKING AREA: Drive Lane 2 area approximately 54500 sf SEE Diagram. Job to include:</p> <ol style="list-style-type: none"> 1) Mill existing pavement and dispose of off site. 2) Add RCA as necessary. 3) Regrade base blend and compact. 4) Adjust steel manhole covers and drains as necessary to new grade. 5) Pave area with: <ul style="list-style-type: none"> 2" of binder asphalt after compaction 1 1/2" of NY State Top asphalt after compaction 6) Restripe parking area. <p>NOTE: Price based on existing asphalt being no more than 2" thick</p> <p>Please sign date and return certificate of capital improvement. Thank you!!</p> <p>Sales Tax - Suffolk County</p>	<p>184,468.75</p> <p>0.00</p>

Retain this copy for your records.

Total \$184,468.75

Good Service and quality work deserves quick payment.



New York State Department of Taxation and Finance
New York State and Local Sales and Use Tax

Certificate of Capital Improvement

ST-124
(2/12)

After this certificate is completed and signed by both the customer and the contractor performing the capital improvement, it must be kept by the contractor.

Read this form completely before making any entries.

This certificate may not be used to purchase building materials exempt from tax.

Name of customer (print or type) <u>Midwood Miami Corp</u>	Name of contractor (print or type) <u>DUMOR Construction Inc</u>
Address (number and street) <u>430 PARK AVE Suite 505</u>	Address (number and street) <u>42 Grant Ave</u>
City <u>New York</u> State <u>NY</u> ZIP code <u>10022</u>	City <u>Bay Shore</u> State <u>NY</u> ZIP code <u>11706</u>
Sales tax Certificate of Authority number (if any)	Sales tax Certificate of Authority number (if any) <u>11-2607031</u>

To be completed by the customer

Describe capital improvement to be performed:

Pave-Reconstruct Drive Lane 2 area

Project name <u>Expressway Plaza</u>
Street address (where the work is to be performed) <u>North Ocean Ave</u> City <u>Falmouthville</u> State <u>NY</u> ZIP code <u>11738</u>

I certify that:

- ☒ I am the (mark one) ☐ owner ☐ tenant of the real property identified on this form; and
- ☒ the work described above will result in a capital improvement to the real property within the guidelines of this form; and
- ☒ this contract (mark one) ☐ includes ☐ does not include the sale of any tangible personal property that, when installed, does not become a permanent part of the real property (for example, a free-standing microwave or washing machine).

I understand that:

- ☒ I will be responsible for any sales tax, interest, and penalty due on the contractor's total charge for tangible personal property and for labor if it is determined that this work does not qualify as a capital improvement; and
- ☒ I will be required to pay the contractor the appropriate sales tax on tangible personal property (and any associated services) transferred to me pursuant to this contract when the property installed by the contractor does not become a permanent part of the real property; and
- ☒ I will be subject to civil or criminal penalties (or both) under the Tax Law if I issue a false or fraudulent certificate.

Signature of customer <u>[Signature]</u>	Title <u></u>	Date <u></u>
---	------------------	-----------------

To be completed by the contractor

I, the contractor, certify that I have entered into a contract to perform the work described by the customer named above, and that I accept this form in good faith. (A copy of the written contract, if any, is attached.) I understand that my failure to collect tax as a result of accepting an improperly completed certificate will make me personally liable for the tax otherwise due, plus penalties and interest.

Signature of contractor <u>Christina Bodin</u>	Title <u>Office Mgr.</u>	Date <u>11/28/17</u>
---	-----------------------------	-------------------------

This certificate is not valid unless all entries are completed.

MIDWOOD MANAGEMENT CORP.
430 PARK AVENUE 2ND FLOOR

NEW YORK, NY 10022
(212) 682-9595

C/O SEARS ROEBUCK & CO
K MART # 4871
ATTN: LEASE ADM.
333 BEVERLY ROAD
HOFFMAN ESTATES, IL 60179

Tenant Name: K MART # 4871
Space Number: 16
Invoice Date: April 26, 2018

2017 MISC INCOME Expense	18,411.94
Prior Year Expense w/ % Increase	
Prior Year Expense w/ % Increase	
Total Recoverable Expense for Current Year	18,411.94
Less Stop Amount	
Total Recoverable MISC INCOME Expense	18,411.94
Tenant Share	40.00%
Total Due for Expense Period	7,364.78
Occupancy Percentage for Year	100.00%
Total Amount Due	<u>7,364.78</u>

DuMOR Construction Inc.

INVOICE

42 Grant Avenue
Bay Shore, NY 11706
631 586-7200 631 586-7208

DATE	INVOICE #
12/6/2017	16720

BILL TO
Midwood Management 430 Park Avenue Suite 505 New York, NY 10022 Attn: Mr. Peter Pollani

JOB NAME
Completed 12/6/17

P.O. NO.	TERMS	REP
	Upon Receipt	D J

ITEM	DESCRIPTION	AMOUNT
Restripe	RESTRIPE: Front lot and drive lanes 1) Repaint all traffic lines and markings the same as before with latex traffic paint, which meets all EPA laws regarding VOC to include: 3 Speed Bumps 500 LF of double yellow lines 100 LF 2' thick yellow lines at entrance 7 Stop Bars 9 No Parking/Fire Zone stencils 2000 lf yellow hash lines 20 Handicap stalls 4 Crosswalks 2 large arrows.	0.00T
Total	Total price for job, not including NYS sales tax Sales Tax - Nassau County	16,950.00T 1,461.94
Please return one copy with payment. Thank You!!!		Total \$18,411.94

Good Service and quality work deserves quick payment.

DuMOR Construction Inc.

INVOICE

42 Grant Avenue
Bay Shore, NY 11706
631 586-7200 631 586-7208

DATE	INVOICE #
12/6/2017	16720

BILL TO
Midwood Management 430 Park Avenue Suite 505 New York, NY 10022 Attn: Mr. Peter Pollani

JOB NAME
Completed 12/6/17

P.O. NO.	TERMS	REP
	Upon Receipt	D J

ITEM	DESCRIPTION	AMOUNT
Rebrick drywell	JOB: Express Plaza 2302 -2390 North Ocean Avenue 910 - 950 Horseblock Road (AKA 2280 North Ocean Avenue) Farmingville, NY REBRICK WATER COVER: 1) Saw cut & remove asphalt around drywell cover and dispose of asphalt. 2) Excavate area and remove casting. 3) Remove and replace bricks as necessary. 4) Backfill. Install RCA base blend and compact. 5) Patch area affected with NYS Type 6F asphalt approximately 2" thick. 6) Hot tar seams of patch to prevent water infiltration.	0.00T
PATCH - R & R	PATCH: Remove and replace approximately 2850 sf in 32 areas. 1) Saw cut asphalt and remove or mill area down. 2) Add recycled crushed concrete base blend as needed and compact. 3) Patch areas with 2 1/2" of NY State Type 6F asphalt compacted to an average depth of 2". 4) Apply hot tar to seams of patches to prevent water infiltration.	0.00T
Please return one copy with payment. Thank You!!!		Total

MIDWOOD MANAGEMENT CORP.
430 PARK AVENUE 2ND FLOOR

NEW YORK, NY 10022
(212) 682-9595

C/O SEARS ROEBUCK & CO
K MART # 4871
ATTN: LEASE ADM.
333 BEVERLY ROAD
HOFFMAN ESTATES, IL 60179

Tenant Name: K MART # 4871
Space Number: 16
Invoice Date: April 4, 2018

2018 MISC INCOME Expense	58,983.38
Prior Year Expense w/ % Increase	
Prior Year Expense w/ % Increase	
Total Recoverable Expense for Current Year	58,983.38
Less Stop Amount	
Total Recoverable MISC INCOME Expense	58,983.38
Tenant Share	40.00%
Total Amount Due for 2018 Before Cap Cap for Year	23,593.35
Total Due for Expense Period	23,593.35
Occupancy Percentage for Year	100.00%
Total Amount Due	23,593.35

DuMOR Construction Inc.

INVOICE

42 Grant Avenue
Bay Shore, NY 11706
631 586-7200 631 586-7208

DATE	INVOICE #
12/6/2017	16719

BILL TO
Midwood Management 430 Park Avenue Suite 505 New York, NY 10022 Attn: Mr. Peter Pollani

JOB NAME
Completed 12/6/17

P.O. NO.	TERMS	REP
	Upon Receipt	D J

ITEM	DESCRIPTION	AMOUNT
Retrick drywell	JOB: Express Plaza 2302 -2390 North Ocean Avenue 910 - 950 Horseblock Road (AKA 2230 North Ocean Avenue) Farmingville, NY REBRICK DRAIN COVER: Five Covers (5) 1) Saw cut & remove asphalt around drywell cover and dispose of asphalt. 2) Excavate area and remove casting. 3) Remove and replace bricks as necessary. 4) Backfill. Install RCA base blend and compact.	
PATCH - R & R	PATCH: Remove and replace 10,200 sf in 14 areas. 1) Saw out asphalt and remove on mill area down: 2) Add recycled crushed concrete base blend as needed and compact. 3) Patch areas with 2 1/2" of NY State Type 6F asphalt compacted to an average depth of 2". 4) Apply hot tar to seams of patches to prevent water infiltration.	
Walk	1) Remove and replace sidewalk in 2 areas approximately 10 sf	
Curbs	2) Remove and replace curbing approximately 26 lf in 2 areas.	
Total	Total price for taxable portion of job, not including NYS sales tax	54,300.00T
Reconstruct Parkin...	RECONSTRUCT PARKING AREA: Drive Lane 2 area approximately 54500 sf SEE Diagram Job to include: 1) Mill existing pavement and dispose of off site. 2) Add RCA as necessary. 3) Regrade base blend and compact. 4) Adjust steel manhole covers and drains as necessary to new grade. 5) Pave area with:	
Please return one copy with payment. Thank You!!!		Total

DuMOR Construction Inc.

INVOICE

42 Grant Avenue
Bay Shore, NY 11706
631 586-7200 631 586-7208

DATE	INVOICE #
12/6/2017	16719

BILL TO

Midwood Management
430 Park Avenue
Suite 503
New York, NY 10022
Attn: Mr. Peter Pollani

JOB NAME

Completed 12/6/17

P.O. NO.

TERMS

REP

Upon Receipt

D J

ITEM	DESCRIPTION	AMOUNT
	<p>2" of binder asphalt after compaction 1 1/2" of NY State Top asphalt after compaction 6) Restripe parking area. NOTE: Price based on existing asphalt being no more than 2" thick Dumer Construction Inc will call for a utility mark out as required by law. There may be utilities consumer owned (not owned by utility company, owned by property owner) that may not be marked out. If deemed necessary, a private markout company can be hired and the cost passed along to our customer, usually about \$500.00 for a smaller job. There may be permits required (depending on Towns requirements) for a total restripe of lot. Site plan may be needed as well. DuMOR Construction Inc and any of our subcontractors will not be responsible for any underground wiring, pipes or utilities and/or any other conditions buried under the existing pavement. Including, but not limited to sprinklers, site lighting, electric gate wires or traffic light actuator (traffic light loops). There may also be concrete covers buried under pavement due to improper abandoned cesspools, etc. Additional cost to repair any under pavement damage will be the responsibility of the owner of property, not the contractor or subcontractor. Sales Tax - Suffolk County</p>	4,683.38
Please return: use copy with payment. Thank You!!!		
Total		\$58,983.38

Good Service and quality work deserves quick payment.

Exhibit C

Item #1				Item #2				Item #3			
paid date		1/19/2018		Paid date		4/17/2018		Paid date		12/18/2017	
		9/6/2018				9/6/2018				9/6/2018	
		231				143				263	
billed to tenant		\$ 184,469		billed to te		7,364.78		billed to te		\$ 23,593	
		18%				18%				18%	
		\$ 33,204				\$ 1,326				\$ 4,247	
		365				365				365	
daily amount		\$ 90.97		daily amou		\$ 3.63		daily amou		\$ 11.64	
Interest		\$ 21,014		Interest		\$ 519		Interest		\$ 3,060	

FF Client: Midwood Managing Corp.
(20588.114)

Project Address: 2280 North Ocean Avenue
Expressway Plaza
Farmingdale, New York 11738

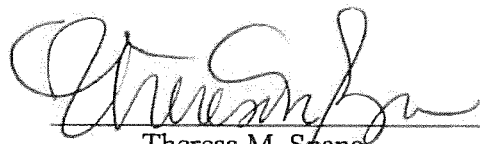
AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

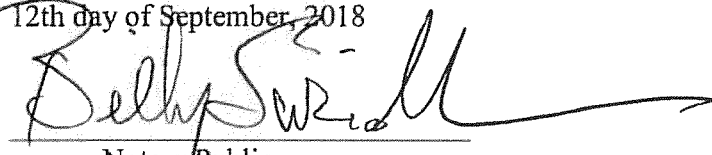
I, Theresa M. Spano, being duly sworn, depose and say: I am not a party to the action, am over 18 years of age and reside in Nassau County, New York.

On September 12, 2018, I served the within **Notice of Default and Fifteen (15) Day Notice to Cure** by Certified Mail return receipt requested, depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to the following person(s) at the last known address set forth after the name:

KMART CORPORATION
333 Beverly Road
Hoffman Estate, Illinois 60179
Attn: Divisional Vice President – Real Estate Department 824E
Tracking No.: 7015-0640-0007-8184-1048


Theresa M. Spano

Sworn to before me this
12th day of September, 2018


Notary Public

BILLY SWINDLER
Notary Public, State of New York
No. 015W6010722
Qualified in Queens County
Commission Expires July 20, 2022

15 day

CERTIFIED MAIL RETURN RECEIPT

TO:	KMART CORPORATION 333 Beverly Road Hoffman Estate, Illinois 60179 Attn: Divisional Vice President – Real Estate Department 824E	09/07/2018 9/12/18
CLIENT	20588-114	
CERT #	7015-0640-0007-8184-1048	

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
\$ 20588.114

Total Postage and Fees
\$

Sent To
KMART CORPORATION
333 Beverly Road
Hoffman Estate, Illinois 60179
Attn: Divisional Vice President – Real Estate Department 824E

City, S

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. <p>1. Article Addressed to: KMART CORPORATION 333 Beverly Road Hoffman Estate, Illinois 60179 Attn: Divisional Vice President – Real Estate Department 824E</p> <p>2. Article Number (Transfer from service label) 7015 0640 0007 8184 1048</p>	<p>A. Signature X <i>CCU</i></p> <p>B. Received by (Printed Name) <i>C CONNOR</i></p> <p>C. Date of Delivery <i>9/17/18</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p>	<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

FF Client: Midwood Managing Corp.
(20588.114)

Project Address: 2280 North Ocean Avenue
Expressway Plaza
Farmingdale, New York 11738

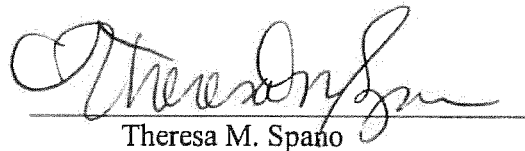
AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

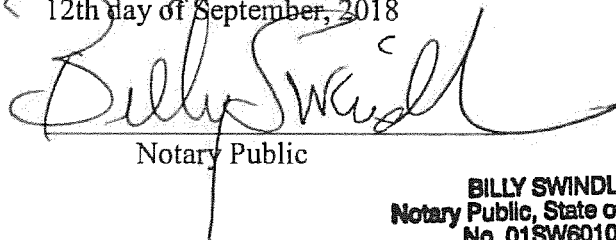
I, Theresa M. Spano, being duly sworn, depose and say: I am not a party to the action, am over 18 years of age and reside in Nassau County, New York.

On September 12, 2018, I served the within **Notice of Default and Fifteen (15) Day Notice to Cure** by Certified Mail return receipt requested, depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to the following person(s) at the last known address set forth after the name:

KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084
Tracking No.: 7015-0640-0007-8184-1024


Theresa M. Spano

Sworn to before me this
12th day of September, 2018


Notary Public

BILLY SWINDLER
Notary Public, State of New York
No. 01SW6010722
Qualified in Queens County
Commission Expires July 20, 2022

15 day

CERTIFIED MAIL RETURN RECEIPT

TO:	KMART CORPORATION 3100 West Big Beaver Road Troy, Michigan 48084	09/07/2018 9/12/18
CLIENT	20588/114	
CERT #	7015 0640 0007 8184 1024	

7015 0640 0007 8184 1024

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Certified Mail Fee

\$ _____

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$ _____

☐ Return Receipt (electronic) \$ _____

☐ Certified Mail Restricted Delivery \$ _____

☐ Adult Signature Required \$ _____

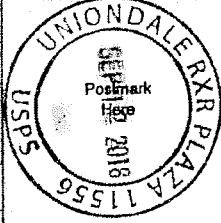
☐ Adult Signature Restricted Delivery \$ _____

Postage

\$ 20588.114

Total Postage and Fees

\$ 20588.114




Sent To

Street and Apt. # KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084

City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p>KMART CORPORATION 3100 West Big Beaver Road Troy, Michigan 48084</p>	<p>A. Signature</p> <p><i>X Donna E...</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____</p> <p>C. Date of Delivery 9/12/18</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<div style="text-align: center;">  9590 9403 0880 5223 0516 74 </div> <p>2. Article Number (Transfer from service label)</p> <p>7015 0640 0007 8184 1024</p>	<p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery </div> <div style="width: 45%;"> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery </div> </div>

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

EXHIBIT C

TEN (10) DAY NOTICE OF LEASE TERMINATION

By Certified Mail Return Receipt Requested

To: KMART CORPORATION
333 Beverly Road
Hoffman Estate, Illinois 60179
Attn: Divisional Vice President – Real Estate Department 824E

KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084

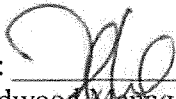
Premises: 2280 North Ocean Avenue
Expressway Plaza
Farmingville, New York 11738

Tenant of the above-referenced Premises:

PLEASE TAKE NOTICE that the undersigned, the landlord of the Premises identified above, hereby elects to terminate the lease (the “Lease”), executed on or about December 20, 1991 between Kmart Corporation as Tenant (“Tenant”) and Farmingville Associates as Landlord, and as assigned to Expressway Plaza I LLC and Farmingville Associates Phase 1, LLC by assignment dated October 20, 2016, (“Landlord”), as amended and extended, because you have defaulted in fulfilling covenants of the Lease and, having been previously served with a Fifteen Day Notice to Cure, a copy of which is annexed hereto as Exhibit “A”, have nevertheless failed to remedy the defaults alleged in the Fifteen Day Notice to Cure Defaults within the applicable cure period.

PLEASE TAKE FURTHER NOTICE that unless you remove yourself and your possessions from the Premises described above on or before the expiration of ten (10) days of service of this Notice upon you, the Landlord will commence summary proceedings to evict you from the Premises and obtain a money judgment against you for any sums due and owing to the Landlord.

Expressway Plaza I, LLC and
Farmingville Associates Phase 1, LLC
as Tenants in Common

By: 
Midwood Management Corp., as agent
John Usdan, Chief Executive Officer

FF Client: Midwood Managing Corp.
(20588.114)

Project Address: 2280 North Ocean Avenue
Expressway Plaza
Farmingdale, New York 11738

AFFIDAVIT OF SERVICE

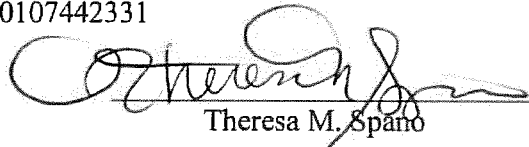
STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, Theresa M. Spano, being duly sworn, depose and say: I am not a party to the action,
am over 18 years of age and reside in Nassau County, New York.

On October 11, 2018, I served the within **Ten (10) Day Notice of Lease Termination** by
Certified Mail return receipt requested, depositing a true copy thereof enclosed in a post-paid
wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service
within New York State, addressed to the following person(s) at the last known address set forth
after the name:

KMART CORPORATION
3100 West Big Beaver Road
Troy, Michigan 48084
Tracking No.: 70173380000107442348

KMART CORPORATION
333 Beverly Road
Hoffman Estate, Illinois 60179
Attn: Divisional Vice President – Real Estate Department 824E
Tracking No.: 70173380000107442331


Theresa M. Spano

Sworn to before me this
11th day of October, 2018



Notary Public
MAURA EDNIE
NOTARY PUBLIC, State of New York
No. 01ED4971404
Qualified in Nassau County
Commission Expires September 4, 20 22

CERTIFIED MAIL RETURN RECEIPT

TO:	KMART CORPORATION 333 Beverly Road Hoffman Estate, Illinois 60179 Attn: Divisional Vice President – Real Estate Department 824E	10/11/18
CLIENT	20588/114	
CERT #	70173380000107442331	

7017 3380 0001 0744 2331

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☐ Return Receipt (hardcopy) \$ _____

☐ Return Receipt (electronic) \$ _____

☐ Certified Mail Restricted Delivery \$ _____

☐ Adult Signature Required \$ _____

☐ Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and: **KMART Corporation**

Sent To: **333 Beverly Road**

Street and Apt. No.: **Hoffman Estate, IL 60179**

City, State, ZIP+4: **Attn: Divisional Vice President**
- Real Estate Dept. 824E

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

KMART Corporation
333 Beverly Road
Hoffman Estate, IL 60179
Attn: Divisional Vice President
- Real Estate Dept. 824E



9590 9402 3733 7335 1350 94

2. Article Number (Transfer from service label)

7017 3380 0001 0744 2331

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

C. C. C.

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

C. C. C.

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

20588-114

Domestic Return Receipt

CERTIFIED MAIL RETURN RECEIPT

TO:	KMART CORPORATION 3100 West Big Beaver Road Troy, Michigan 48084	10/11/18
CLIENT	20588/114	
CERT #	70173380000107442348	

7017 3380 0001 0744 2348

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Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage
\$

Total Postage and
\$

Sent To **KMART Corporation TMS**
3100 West Big Beaver Road
Street and Apt. No. **Troy, MI 48084**
City, State, ZIP+4

PS Form 3800, April 2013 PSN 7510-02-000-9047 See Reverse for Instructions

20588-114

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USPS



FARRELL FRITZ
PC
ATTORNEYS

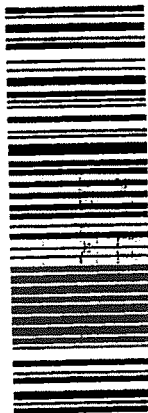
400 RXR Plaza
Uniondale, NY 11556-3826

VF

KMART Corporation
3100 West Big Beaver Road
Troy, MI 48084

Spec

CERTIFIED MAIL



7017 3380 0001 0744 2348



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10/11/2018
US POSTAGE \$006.67

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NIXIE 482 DE 1 0010/19/18

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UNABLE TO FORWARD

UTF BC: 11556382600 #1302-00604-11-42
48084-300400